



GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Allegation of Corruption against Sri Banoth Jogya @ Jogya Naik S/o Bheelya, Sub Treasury Officer, Bheemdevarapally of Karimnagar District – Trapped by A.C.B officials on 16-11-2011 – Prosecution Orders – Issued.

FINANCE (ADMN.III) DEPARTMENT

G.O.Ms. No: 79

Dated: 11-04-2014

ORDER:

Whereas Sri Banoth Jogya @ Jogya Naik S/o Bheelya worked as Sub Treasury Officer, Bheemadevarapally of Karimnagar District during the period from 30-12-2008 to 16-11-2011 and as such he is public servant within the meaning of clause (C) of Section (2) of the Prevention of Corruption Act, 1988.

2. And whereas, Sri Pagidipati Jaya Rao S/o Janaiah is a resident of Mukanoor Village of Bheemadevarapally Mandal of Karimnagar District and working as Panchayat Secretary at Gram Panchayat Kothakonda of Bheemadevarapally(M), since 08-08-2007. As per the orders of the District Collector (Panchayat Wing), he is holding the additional charge of G.P. Mulkanoor since 10-08-2011. The payment of salaries for fixed and contract employees of Gram Panchayat, Mulkanoor was due for (10) months. Since no such balance amount was found in Gram Panchayat Account, he got prepared a Note File by the Junior Assistant of Gram Panchayat towards staff salaries from January 2011 to March 2011, another Note File towards Gram Panchayat general expenditure for bleaching powder and electrical items etc., got prepared a cheque and paper token for the total amount of Rs.3,43,876/- as permitted by the Gram Panchayat Special Officer Sri B. Devender Raju, M.P.D.O. Bheemadevarapally. After obtaining the signature of the Special Officer, he handed over said cheque and paper token to Sri Jogya Naik, STO, Bheemadevarapally on 14-11-2011 at 11:30 hours. Again at 1.00 P.M, he approached the STO Sri Jogya Naik and enquired about said paper token, the said STO, Sri Jogya Naik asked about the details of said amount, he replied that it belongs to staff salaries, bleaching powder and electrical items. On that said STO asked for the acquittance of said items and also demanded an amount of Rs 3,000/- as bribe to pass the cheque and to send the paper token (LOC). When he expressed his inability to give such huge amount and to give Rs. 1,000/- only, the STO Sri.Jogya Naik when for acquittance he produced the same before the STO on the same day, who perused the same and informed that an amount of Rs. 69,000/- belongs to other items, as such demanded an amount of Rs. 3,500/- as bribe by writing the same on a white paper. On his persistent requests that he was unable to give such amount and to give Rs. 1,000/- only, said STO reduced the bribe amount from Rs.3,500/- to Rs.3,000/- by correcting so on the said paper and demanded the same and also informed that if the bribe amount was reduced, the cheque would not be passed. Then, he informed that as he did not bring such amount and since the father of his colleague died, he would bring the same on the next day and came out from the office.

3. And whereas, Sri Pagidipati Jaya Rao was unwilling to give the demanded bribe amount to Sri Jogya Naik, STO, Bheemadevarapally, he approached the D.S.P., A.C.B, Karimnagar Range at Karimnagar and lodged a written complaint in Telugu on 14-11-2011 at 19:00 hours with a request to take necessary action against said STO. The D.S.P., A.C.B, after due verification, registered a case in Cr. No. 13/ACB-KNR/2011 u/s 7 of P.C. Act, 1988 on 16-11-2011 at 08:00 hours and took up the investigation.

4. And whereas, Sri Banoth Jogya @ Jogya Naik, Sub Treasury Officer, Bheemadevarapally(M) of Karimnagar District had demanded and accepted an amount of Rs 3,000/- as illegal gratification other than legal remuneration from Sri Pagidipati Jaya Rao at STO's office, Bheemadevarapally of Karimnagar District on 16-11-2011 at about 12:10 hours and he was trapped by the D.S.P., A.C.B., Karimnagar Range, Karimnagar. The tainted bribe amount of Rs. 3,000/- was recovered from the wearing pant right side front side pocket of Sri Banoth Jogya @ Jogya Naik. Both the hand fingers of Sri Banoth Jogya @ Jogya Naik, Sub Treasury Officer, Bheemadevarapally and the inner flap of his wearing pant, which came into contact with the tainted bribe amount were yielded positive results, when they were subjected for sodium carbonate solution test. The above tainted amount and the pant were seized by the D.S.P., A.C.B in the presence of mediators.

5. And whereas, the above said acts of Sri Banoth Jogya @ Jogya Naik, Sub Treasury Officer, Bheemadevarapally, of Karimnagar District constitute offences punishable under section 7 and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988.

6. And whereas, the Government of Andhra Pradesh being the competent authority to remove said Sri Banoth Jogya @ Jogya Naik, Sub Treasury Officer, Bheemadevarapally of Karimnagar District from his office after carefully examining the material i.e., F.I.R., Pre Trap & Post Trap Proceedings, final investigation report placed before them in respect of said allegations and having regard to the circumstances of the case, considered that Sri Banoth Jogya @ Jogya Naik, Sub Treasury Officer, Bheemadevarapally of Karimnagar District, should be prosecuted in a court of law for the aforesaid offences.

7. Now, therefore, in exercise of the powers conferred by clause (b) of Sub-section (1) of section 19 of the Prevention of Corruption Act-1988, the Govt. of A.P., hereby accorded sanction for the prosecution of Sri Banoth Jogya @ Jogya Naik, Sub Treasury Officer, Bheemadevarapally of Karimnagar District for the offences punishable under section 7 and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 and for any other cognate offence punishable under any other provisions of law in force in respect of the above said acts and for taking cognizance of the said offences by the court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. D. SAMBASIVA RAO
PRL.SECRETARY TO GOVERNMENT (FP)

To,
The Director General,
Anti-Corruption Bureau,
Andhra Pradesh, Hyderabad.
Copy to,
The Commissioner,
A.P. Vigilance Commission,
A.P. Secretariat, Hyderabad.